

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

JONATHAN DIFRAIA,

Plaintiff,

vs.

KEVIN RANSOM, *et al.*,

Defendants.

FILED ELECTRONICALLY

CIV. ACTION NO. 1:23-cv-01187

NOTICE OF INTENT TO DISMISS PURSUANT TO PA R.C.P. 1042.7
FOR FAILURE TO SUBMIT CERTIFICATE OF MERIT

To: Plaintiff, Jonathan DiFraia,

Pursuant to Pennsylvania Rule of Civil Procedure 1042.7, Defendant now places you on notice that he intends to move for dismissal against you if you do not file a Certificate of Merit within the time period prescribed by Rule 1042.3. Defendant is serving this notice on behalf of Dr. Timothy Kross.

The defendant identified herein will move to dismiss any claim of professional negligence that you have asserted against him.

Sincerely,

WEBER GALLAGHER SIMPSON STAPLETON
FIRES & NEWBY LLP

/s/ Benjamin M. Lombard
Benjamin M. Lombard, Esquire
Four PPG Place, 5th Floor
Pittsburgh, PA 15222
T: (412) 281-4541

Dated: September 5, 2023

CERTIFICATE OF SERVICE

I, Benjamin M. Lombard, Esquire, hereby certify that on this date a true and correct copy of the foregoing **NOTICE OF INTENT TO DISMISS PURSUANT TO PA R.C.P. 1042.7 FOR FAILURE TO SUBMIT CERTIFICATE OF MERIT** was sent to all counsel of record *via* CM/ECF and by first class United States mail, postage prepaid, to the following:

By U.S. Mail Only:

Jonathan DiFraia, QH-6513
Smart Communications/PADOC
SCI-Rockview
PO Box 33028
St Petersburg FL 33733

By CM/ECF Notice Only:

Christine C. Einerson, Esq.
Pennsylvania Office of Attorney General
Litigation Department
Strawberry Square
Ste 15th Floor
Harrisburg, PA 17120

 /s/ Benjamin M. Lombard
Benjamin M. Lombard, Esquire

Dated: September 5, 2023